

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on November 16, 2005, and the references cited therewith.

Claims 1, 4, 13, 19, and 22 are amended, and no claims are canceled or added; as a result, claims 1-28 are now pending in this application.

§ 102 Rejection of the Claims

Claims 1, 2, 4-7, 9-13, 15-17, and 19-28 were rejected under 35 USC § 102(b) as being anticipated by Pitroda (U.S. Patent No. 5,884,271). Applicant respectfully traverses the rejection as follows.

With regard to independent claims 1, 4, 13, 19, and 22, as amended, the Pitroda reference appears to describe, “[A] universal electronic transaction card (“UET card”) [that] is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical and health care management cards and the like.” (See, Abstract). The reference does not describe “program instructions storable in the memory and executable by the processor to selectably modify the variety of user information, including updating, editing, and deleting, based on user input directly to the card”, as recited in claims 1, 4, and 13. Nor does the reference described selectably modifying the variety of user information, including updating, editing, and deleting, based on user input directly to the card”

In contrast, independent claims 1, 4, and 13, as amended, each recite, “program instructions storable in the memory and executable by the processor to selectably modify the variety of user information, including updating, editing, and deleting, based on user input directly to the card.” And further, claims 19 and 22, as amended, each recite “selectably modifying the variety of user information, including updating, editing, and deleting, based on user input directly to the card”.

The amendment to independent claims 1, 4, 13, 19, and 22 shown above is supported in the specification of the present application as originally presented. Specifically, support can be found on page 10, line 20, through page 11, line 6. For example, “[T]he display screen may include a touch sensitive display screen such that the input can be provided directly to the display screen and converted to

instructions which can be received by and operated on by the processor 210.” (See, Page 10, lines 22-25). The specification goes on to recite, “program embodiments can execute instructions on the information card based input user selectable input information provided to the touch sensitive screen, provided to the user input cluster or otherwise, to modify particular user information, e.g., to update, delete, and/or edit particular user information”. (See, Page 10, lines 30 through page 11, line 1).

Pitroda does not describe modifying the variety of user information, including updating, editing, and deleting, based on user input directly to the card, and appears to teach away from doing so. For example, Pitroda states in column 12, lines 13-22:

It should be emphasized that the primary credit card issuing company provides the first hardware/software and all the necessary interfaces to the customer. Thereafter secondary card issuing companies will issue new cards by writing electronic prints by dialing in to the card along with appropriate customer and card issuing company information.

Corresponding to each card, a data area 409 is provided for transient information related to the date of issue, date of expire, credit limit, etc. This can be changed periodically by the card issuing company.

Additionally, Pitroda states in column 13, line 66, through column 14, line 5:

As shown in FIG. 10, during initialization, the card holder is requested to sign in the designated area. This signature becomes a permanent record similar to the one used in the present day plastic cards and is used for visual verification for identification and security. Once signed the signature is stored in a memory location from which it can not be erased by the user.

As such, Applicant respectfully submits that each and every element and limitation of independent claims 1, 4, 13, 19, and 22, as amended, is not present in the Pitroda reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 102 rejection of independent claims 1, 4, 13, 19, and 22, as amended, as well as those claims that depend therefrom.

§103 Rejection of the Claims

Claims 3, 8, and 18 were rejected under 35 USC § 103(a) as being unpatentable over Pitroda (U.S. Patent No. 5,884,271) in view of Baratelli (U.S. Patent No. 6,325,285). Applicant respectfully traverses the rejection as follows.

Claims 3, 8, and 18 depend from independent claims 1, 4, and 13, respectively. Applicant respectfully submits that independent claims 1, 4, and 13 are in condition for allowance. From Applicant's review of the Baratelli reference, the reference does not cure the deficiencies of the Pitroda reference. That is, Baratelli does not describe, teach, or suggest, "[p]rogram instructions storable in the memory and executable by the processor to selectably modify the variety of user information, including updating, editing, and deleting, based on user input directly to the card", as recited in independent claims 1, 4, and 13, as amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 103 rejection of dependent claims 3, 8, and 18.

Claim 14 was rejected under 35 USC § 103(a) as being unpatentable over Pitroda (U.S. Patent No. 5,884,271) in view of Gangi (U.S. Patent No. 6,293,462) and Hasegawa (U.S. Patent No. 5,055,662). Applicant respectfully traverses the rejection as follows.

Claim 14 depends from independent claim 13. Applicant respectfully submits that independent claim 13 is in condition for allowance. From Applicant's review of the Gangi and Hasegawa references, the references do not cure the deficiencies of the Pitroda reference. That is, Gangi and Hasegawa do not describe, teach, or suggest, "[p]rogram instructions storable in the memory and executable by the processor to selectably modify the variety of user information, including updating, editing, and deleting, based on user input directly to the card", as recited in independent claim 13, as amended. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 103 rejection of dependent claim 14.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Tuan V. Ngo at (408) 447-8133 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 08th day of February, 2006.

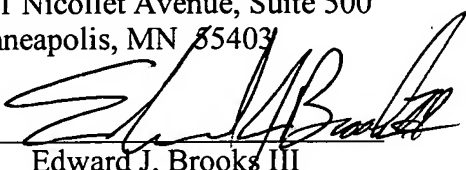
Alison L. Subendran
Name


Signature

Respectfully Submitted,
Antony M. Justin

By his Representatives,
BROOKS & CAMERON, PLLC
1221 Nicollet Avenue, Suite 500
Minneapolis, MN 55403

By:


Edward J. Brooks III
Reg. No. 40,925

Date:

2/8/2006